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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,103	03/04/2002	Joshua Z. Beadle	47018/253171	5901

23370 7590 03/05/2003

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EXAMINER

SAWHNEY, HARGOBIND S

ART UNIT PAPER NUMBER

2875

DATE MAILED: 03/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/091,103

Applicant(s)

BEADLE, JOSHUA Z.

Examiner

Hargobind S Sawhney

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-14 and 17-19 is/are rejected.
- 7) ☒ Claim(s) 9, 10, 15 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the sprocket recited in line 2 of Claim 10 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,2,5-7,11,12 and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Burdick (US Patent No. 1,430,354).

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Regarding claims 1,2,5-7,11,12 and 16-18, Burdick (US Patent No. 1,430,354)

discloses a light fixture 1 (Figure 1, line 44) comprising:

- a cowl 12 the combination of elements 12,12' and 11- (Figure 1, lines 53,56 and 62) including an open end, a closed end and an inner surface forming a cavity (Figure 1);
- a socket 10 positioned within the cavity, and being coupled to the inner surface of the closed end of the cowl 12 (Figure 1);
- the socket 10 receiving a base of a lamp 9 (Figure 1, line 52);
- a collar 13 (Figure 1, lines 56 and 57) coupled to the cowl 12 completely within the cavity formed by the cowl 12 (Figure 1);
- the collar 13 further including an internal surface, an external surface and an inner aperture receiving the base of the lamp 9 (Figure 1);
- the collar 13 further having its perimeter following the inner surface of the cowl 12 (Figure 1);
- the lamp 9 coupled to the socket 10, and additionally including a base – and a contact (not shown) positioned within the socket 10;
- a stem 4- combination of elements 2 and 4 - (Figure 1, lines 45 and 46) coupled and supporting the cowl 12, and keeping the open end of the cowl 12 facing downward (Figure 1);
- the collar 13 being coated with a corrosion resistant coating – a surface coating 13" (Figure 1, lines 98-101) of natural porcelain enamel is considered here as a corrosion resistant coating -;

- the coating 13" - natural porcelain enamel- having a reflective finish (Figure 1, lines 98-101), and being applied to the inner surface of the color 13 (Figure 1, lines 98-101);
- the cowl 12 comprising a crown portion 12' and a skirt portion 12 with a generally conical cross-section – basically similar cross-section as that disclosed by the applicant –, a first open end , the upper end, and a second open end, the lower end;
- the second open end of the crown portion being larger in diameter than that of the first open end (Figure 1);
- the crown 12' further comprising a generally cylindrical cross-section, an open end and the closed end – integrally attached ends are interpreted as " the crown comprising"- of the cowl 12 (Figure 1, lines 53,56 and 62);
- a head fitting – the element attaching the stem 4 to the element 11 (Figure 1) –coupled to the cowl 12 and attaching the cowl 12 to the stem 4 (Figure 1);
- the collar 13 being sealed – tight fit of the collar against the inner surface of the cowl 12 along its lower rim 20 making an air tight joint (Figure 1, lines 69,70 and 75-84) is interpreted as a sealing element – to the inner surface of the cowl 12 12; and
- the stem 4 (Figure 1, line 47) coupled to the side surface of the cowl 12.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3,4 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burdick (US Patent No. 1,430,354) in view of Glabrous et al. (US Patent No. 6,361,193 B1).

Regarding claims 3,4 and 19, claims 3 and 4 dependent on Claim 1; and Claim 19 dependent on Claim 18, Burdick (US Patent No. 1,430,354) does not directly teach the coating on the collar surface being either a powder coating or a paint coating.

On the other hand, Glabrous et al. (US Patent No. 6,361,193 B1) discloses a light fixture including a reflector trim 10 (Figure 1-3) comprising a reflector including its surface coated with high reflectivity powder paint (Figure 1, column 4, lines 54-56 and 60-62)

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the light fixture of Burdick (US Patent No. 1,430,354) by providing a collar having its surface coated with a polyester powder paint as taught by Tokunaga ('043) for the benefit and advantage of high durability and easy cleanability.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burdick (US Patent No. 1,430,354) in view of Al-Turki (US Patent No. 6,113,433).

Burdick (US Patent No. 1,430,354) does not teach the specifics of the lamp and the means adapted for securing the lamp in the socket of the disclosed light fixture.

On the other hand, Al-Turki (US Patent No. 6,113,433) discloses a universal lamp socket 10 (Figure 1) securing both a bayonet-type lamp 60 (Figure 1, column 4, line 56) and an Edison-type threaded lamp 42 (Figure 1). Further, the bayonet-type lamp including a bayonet pin 66 (Figure 1) coupled to the base of the lamp 60 (Figure 1).

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the light fixture of Burdick (US Patent No. 1,430,354) by providing a lamp including a bayonet pin for the benefit and advantages of quick mounting of the lamp.

7. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burdick (US Patent No. 1,430,354).

Regarding claims 13 and 14, Burdick (US Patent No. 1,430,354) discloses the collar 13 (Figure 1, lines 56 and 57) having a seal – an air tight fitting being interpreted as a seal – at the circumferential joint 20 (Figure 1). However, Burdick does not teach collar being sealed using either a silicone sealant or an O-ring.

it would be have been obvious to one of ordinary skill in the art at the time of the invention to modify collar surface sealing of Burdick (US Patent No. 1,430,354) to include either a silicone sealant or an O-ring, since the examiner takes official notice of the facts that use of either silicone sealant or O-ring instead of tight fitting for sealing is common practice, and is well known in the art.

Allowable Subject Matter

8. Claims 9,10,15 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record, including Burdick (US Patent No. 1,430,354) in view of Glabrous et al. (US Patent No. 6,361,193 B1), does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose proper motivation for combining:

- a O-ring coupled to the lamp and contacting the collar , and thus sealing the inner aperture of the collar as recited in claims 9 and 20;
- a spring having its outer diameter sized for closely fit within the sprocket as recited in Claim 10; and
- a ground spike coupled to the cowl at its closed end as recited in Claim 15.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Latsis et al. (U.S. Patent No. 6,033,093);

Splane Jr. (U.S. Patent No. 5,791,768);

Thomas et al. (U.S. Patent No. 5,582,479);

Kosann. (U.S. Patent No. 5,303,127);

Kekar (U.S. Patent No. 1,500,639); and

Landahl (German Patent No. DE 3125373 A1)

Each of the above-indicated prior arts discloses a lighting apparatus comprising some of the claimed features claimed by the applicant.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 703-306-5909. The examiner can normally be reached on 7:30 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 703-305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2956.

HSS
March 1, 2003


Examiner: Hargobind S. Sawhney